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ONE HUNDRED EIGHTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

W. "BILLY" TAUZIN, LOUISIANA,  
CHAIRMAN

November 7, 2003

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DAN R. BROUILLETTE, STAFF DIRECTOR

## **NO THANKS FOR THIS TURKEY**

Dear Democratic Colleague:

The House will soon be voting on the conference report on H.R. 6, the "Energy Policy Act of 2003." No Democrats were allowed to participate in this conference. While we do not have the latest text of the conference report, I wanted to give you an update on the bill, as I understand it. Based upon press accounts and statements from our Republican colleagues, this conference report will contain numerous provisions which **endanger the environment, hurt consumers, and lavish unaffordable subsidies on energy companies**. While a number of decent provisions, such as enforcing electric reliability standards, are expected to be in a conference report containing more than 1,000 pages, this bill, negotiated in secret by Republicans and their special interest lobbyists, has received widespread condemnation from environmentalists, consumer groups, and editorial boards across the country. Here is a glimpse of what you will be asked to vote on:

### **Endangering the Environment**

Amends the Clean Air Act to allow certain areas to ignore ozone attainment deadlines.

Bars the Environmental Protection Agency from protecting drinking water supplies by regulating companies that inject diesel for purposes of oil and gas recovery (this process, known as hydraulic fracturing, is championed by Halliburton).

Exempts oil and gas exploration companies from waste water runoff rules designed to protect our lakes, rivers, and streams.

Guts hydroelectric relicensing rules, giving special treatment to utilities at the expense of states, localities, Indian tribes, and fishing and sportsmen groups.

Provides a special liability waiver for MTBE producers who face lawsuits from states and localities for polluting their water supplies, thereby shifting cleanup costs to taxpayers.

### **Hurting Consumers and Investors**

Repeals the Public Utility Holding Company Act, which is designed to protect ratepayers from paying for risky investments by holding companies and to protect investors from shady corporate accounting practices.

Fails to include important anti-fraud provisions to bar the kind of schemes like “Death Star” used by Enron and others in the Western electricity crisis to bilk consumers of billions of dollars. (These provisions, which Democrats unsuccessfully offered during the House consideration of the energy bill, were recently endorsed by a Senate vote of 57-40.)

Places new regulatory restrictions on the Federal Energy Regulatory Commission to protect consumers from overcharges.

### **Providing Unaffordable Subsidies to Energy Industries**

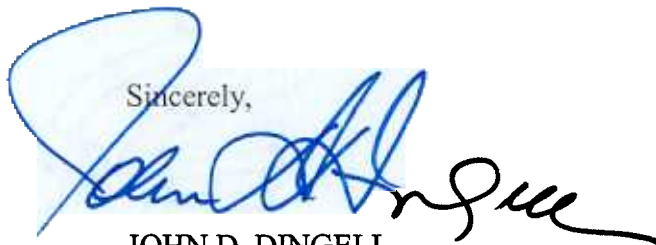
Gives tax subsidies of \$18-23 billion to energy industries – more than double what the Administration asked for.

Provides no offsets for the cost of the subsidies, while at the same time Republicans call for offsets to pay for aid to veterans and firefighters in other bills.

Gives oil and gas companies hundreds of millions of dollars in relief from royalty payments.

Weeks after this bill is considered on the House Floor, we will undoubtedly continue to learn about dozens of special interest provisions that have crept into this bill during the secret conference conducted by our Republican colleagues. I intend to vote “no” on this Thanksgiving turkey, and I urge you to do the same.

Sincerely,



JOHN D. DINGELL  
RANKING MEMBER

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Office of the Democratic Whip

Steny Hoyer



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For Immediate Release  
November 4, 2003

Contact: Stacey Farnen  
202-225-3130

## **HOYER CALLS ON MAJORITY LEADER TO RESTORE BIPARTISANSHIP**

*"This Policy of Exclusion Offends Our Democratic Tradition"*

**WASHINGTON, DC – In a letter delivered to House Majority Leader Tom DeLay (TX) this afternoon, House Democratic Whip Steny H. Hoyer (MD) expressed his deep concern with the tactics being utilized by Republican leaders in the House to exclude Democratic members from conference negotiations.** Representative Hoyer requested that Democratic conferees, as is tradition, be included in the conferences to which they were appointed. Currently, many Democratic conferees are shut out of "conference" meetings. The text of the letter is as follows:

November 4, 2003

The Honorable Tom DeLay  
House Majority Leader  
U.S. Capitol Building  
H107  
Washington, DC 20515

Dear Tom:

I wanted you to know how much I agree with your acknowledgment during our scheduling colloquy early Friday morning that "a formal conference should have been held before we brought [the FAA Reauthorization conference report] to the Floor," and that you "will work to make sure that we follow the rules of the House and formal conferences are held before those conference reports come back to the Floor."

However, I remain deeply troubled that Democratic conferees, duly appointed by Speaker Hastert, are "conferees" in name only and are being inappropriately shut out of important conference meetings on Medicare and energy legislation and thus denied any meaningful opportunity to participate in crafting these conference reports.

Last Thursday, for example, two Democratic conferees to the Medicare conference – Congressmen Rangel and Berry – went to the private office in the Capitol where House-Senate negotiations on the Medicare bill were taking place and demanded that they be included as

participants. But Conference Chairman Bill Thomas denied their right to participate, saying that he only invites “willing Members” to meetings and indicating that he has no regard for the Speaker’s appointments. As a result, the conference meetings on Medicare continue without any real input from House Democratic conferees whatsoever.

This policy of exclusion offends our democratic tradition, demeans this institution and silences the elected representatives of 130 million Americans. Moreover, it makes bipartisanship on issues of great magnitude almost impossible to achieve.

Democrats, of course, are not the only ones with serious concerns about the legislative process employed by the Republican leadership. As Rep. John Kline and 40 other Republican Members wrote to you, Speaker Hastert and Majority Whip Blunt last week:

*“We write to request that if the conferees on the Medicare Prescription Drug and Modernization Act of 2003 report to the House a Conference Report, copies of the text of the Conference Report, the text of the explanatory statement, and the text of the Congressional Budget Office cost estimate for the Conference Report be made available to all Members at least three calendar days after filing . . . and prior to consideration of the Conference Report . . .”*

As these Republican Members correctly observed: “The general public will evaluate not only what Congress does regarding Medicare and prescription drugs, but the way in which it does it.” (Emphasis added)

I could not agree more with that statement. The legislative process that we follow in this House does matter.

Thus, Mr. Leader, I urge you to ensure that formal conference meetings – where conferees have real input and real decisions are made – are held before legislation is brought to the Floor. Furthermore, I urge you to ensure that all conferees appointed by Speaker Hastert are invited to attend and allowed to participate in conference meetings. Anything less, in my view, is indefensible.

And finally, I ask that the request by Rep. Kline and other Members for a three-day review period for the Medicare conference report – a request that reportedly has been granted by Speaker Hastert – be applied to other legislation as well. This First Session of the 108<sup>th</sup> Congress got off to an inauspicious start with Members voting in February on a 3,000-page omnibus appropriations bill for Fiscal 2003 after having virtually no opportunity to review it and no opportunity to amend it. With another omnibus appropriations bill looming on the horizon, the Members of this body must not be destined to repeat that most regrettable experience.

With kindest personal regards, I am

Sincerely yours,

/s/

STENY H. HOYER

cc: Speaker J. Dennis Hastert  
Democratic Leader Nancy Pelosi  
Majority Whip Roy Blunt

# ENERGY CONFERENCE REPORT

The House GOP leadership has indicated that it is likely that the House will consider the conference report on the energy bill next week – despite the fact that Democrats are still in the dark regarding the legislative language that Republicans are planning to bring to the Floor. There will reportedly be a conference meeting on November 12<sup>th</sup>, with the conference report likely going to the House Floor on November 13<sup>th</sup>.

Attached are:

- Talking Points on Democrats Being Completely Shut Out of the Energy Conference Report
- November 7<sup>th</sup> letter from Rep. Dingell to Democratic colleagues summarizing a number of his objections to the emerging conference report



## **Office of Democratic Leader Nancy Pelosi**

November 7, 2003

### **DEMOCRATS HAVE BEEN COMPLETELY SHUT OUT IN WRITING ENERGY CONFERENCE REPORT – UPDATED**

#### ***GOP Has Reached A New Low in Trampling on the Rights of the Minority***

***“The two Republican leaders of the energy bill conference plan to write the final legislation themselves.”***

CQ Today, 9/12/03

***“The GOP plan has been to deliver to Bush a business-friendly bill that closely tracks the recommendations of a 2001 White energy policy task force chaired by Vice President Dick Cheney. The legislation would heavily emphasize increased production to meet the nation’s appetite for energy.... Domenici and Tauzin infuriated Democrats by negotiating much of the bill behind closed doors.”***

CQ Weekly, 10/18/03

The country is almost evenly divided between Democrats and Republicans – in the Senate, there are 51 Republicans and 49 Democrats and, in the House, 53 percent of Members are Republicans and 47 percent are Democrats. And yet Democrats – who represent about half of the American electorate – are being COMPLETELY shut out of a comprehensive bill that will probably impact energy policy over the next decade. Following are talking points about Democrats being shut out.

- **The Process of Writing The Energy Conference Report Has Been A Travesty From the Very Beginning.** Ever since the House conferees on the energy bill were appointed on September 4<sup>th</sup>, the process of writing the Energy conference report has been a complete travesty. As reported by CQ Today, on September 11, it was announced that “the two Republican leaders of the energy bill conference plan to write the final legislation themselves.” In response to this announcement, Ranking Democrat Jeff Bingaman wrote to Chairman Domenici: *“My staff was informed this morning of your decision to write the preliminary version of the conference report on H.R. 6, the energy bill. .. without any substantive involvement by Democratic conferees ... I believe that this is a deeply flawed strategy. If the goal is to achieve true bipartisan consensus on the important energy challenges facing the nation, this is a mistaken way of going about it. A process in which the duly appointed conferees for 49 Senators get only to react to legislative text that has been negotiated without their input would not seem*

*to constitute a real effort to find common ground on crucial and complex issues that are not inherently partisan. There is no substitute for actually being involved when key decisions are first made, and no amount of labeling of the resulting text as draft or provisional can mask this fact."*

- **Behind Closed Doors, Two Powerful GOP Chairman Are Writing A Massive, Sweeping Energy Bill That Will Have A Direct Impact on Every American.** Indeed, it is truly alarming that such a massive, complex, far-reaching piece of legislation is being written behind closed doors. The comprehensive energy bill that Chairmen Tauzin and Domenici are writing – with titles covering such topics as electricity, oil and gas production, nuclear power, renewable energy, climate change, ethanol, clean coal technology, and energy tax breaks – will affect every American. As the Washington Post has pointed out, *"Every line of this complex legislation has political, economic and environmental implications."* And yet it has generally been written in the most secretive, closed-door setting possible.
- **There Has Been Only One Meeting of the Conferees – And That Was Purely Ceremonial.** The Senate appointed its conferees back on July 31<sup>st</sup> and the House appointed its conferees on September 4<sup>th</sup>. However, over the last two months, there has only been one actual meeting of the conferees – a ceremonial meeting on September 5<sup>th</sup>. At that meeting, Members could only offer opening statements. Since then, the energy conference report has been written by Chairmen Tauzin and Domenici and their staffs (with the exception of the tax title, which is being written by Chairmen Thomas and Grassley.) There will reportedly be a second meeting of the conference committee on November 12<sup>th</sup>, but this will be one day before the conference report is being brought to the House Floor and will be after all of the critical decisions have been made.
- **Chairmen Tauzin and Domenici Have Completely Ignored Senate-Passed Bill.** In an unusual procedure breaking with all past precedent, Chairmen Domenici and Tauzin have basically ignored the Energy Bill actually passed by the Senate. In order to get an energy bill out of the Senate, the GOP-controlled Senate passed the Democrats' energy bill from last year. However, in developing a conference report, Chairmen Tauzin and Domenici have been working from the House-passed bill and a Domenici bill (which never passed either chamber) – and have generally simply ignored the Senate-passed legislation.
- **No Suggestions from Democrats Have Been Accepted by the Conferees.** Although Chairmen Tauzin and Domenici have countered that drafts of certain, completed titles in the conference report have been shared with Democratic staff, the fact is that no suggestions on significant issues that have been made by Democrats have been accepted by the Republican conferees.
- **It Is Not True That Democrats Treated Republicans The Same Way When Previous Energy Bills Were Written.** As Sen. Bingaman wrote to Sen. Domenici, *"The procedure that you have decided on is a marked departure from the treatment given to Republican conferees and their staffs in the last two major conferences on energy legislation, last year and in 1992. I am deeply disappointed that the courtesy and cooperation in conference*

*afforded by me and Sen. J. Bennett Johnston, where Republicans were in the minority, is not being reciprocated.”* For example, when the 1992 energy bill was written and Democrats were in the majority, there was bipartisan consultation and there were six meetings of the conferees as the conference report was being written.

- **Energy Bill Is Example of How, Under GOP, Conference Committee Deliberations Have Completely Broken Down.** Many scholars have written about the deterioration of the conference committee process in Congress. How the energy bill is now being handled is a perfect example of how this process has completely broken down. As a recent Washington Post (10/19/03) article points out, *“According to several scholars, ... the minority party has been particularly squeezed lately. ‘We’ve been moving away from genuine deliberation on conferences ... , but it’s now gotten to the point of embarrassment,’ said Thomas E. Mann, a Congress-watcher at the Brookings Institution.”*
- **Finally, There Are Numerous, Special-Interest Provisions in the Tauzin-Domenici Draft Conference Report That Were Neither in the House-Passed or Senate-Passed Bills.** A final example of how far afield Chairmen Tauzin and Domenici have gone in writing the energy conference report is that numerous provisions are showing up in the Tauzin-Domenici draft of the final conference report that were neither in the House-passed or Senate-passed bill. Many of the last-minute provisions being added to the conference report are being written by lobbyists downtown – something some of the lobbyists have openly admitted.



Posted on Fri, Nov. 07, 2003 **Ft. Worth Star Telegram**

## **A radical notion?**

**Star-Telegram**

U.S. Rep. Joe Barton, R-Ennis, maintains that members of Congress who oppose his efforts to extend Fort Worth-Dallas' deadline for meeting federal ozone standards are guilty of "radical extremism in environmental policy."

What's radical about wanting clean air, and the sooner the better?

Ground-level ozone can worsen breathing problems for children and elderly people, particularly for those suffering from asthma, bronchitis and emphysema.

In North Texas, more than 200,000 children suffer from asthma that is worsened by high ozone levels, according to the American Lung Association.

Barton is at odds with Rep. Eddie Bernice Johnson, D-Dallas, who strongly opposes the deadline extension that the Ennis lawmaker wants included as an amendment to a major energy bill pending in a House-Senate conference committee.

Barton's proposal would allow the Environmental Protection Agency to move back compliance deadlines for ozone standards in regions affected by pollution blown in from other cities or states.

Fort Worth-Dallas claims that pollution from Houston has contributed to its poor air quality. But federal court rulings have barred various areas, including the Metroplex, from extending the compliance deadline to 2007 based on those claims of migrating pollution.

Unfortunately, the House voted 232-182 last week against Johnson's motion to pass a nonbinding resolution instructing the conference committee on the energy bill to strip Barton's amendment from it.

Johnson and Rep. Martin Frost, D-Arlington, should be commended for backing the resolution. Three Republicans representing parts of Tarrant County -- Reps. Kay Granger of Fort Worth, Michael Burgess of Highland Village and Barton -- unwisely voted against it.

North Central Texas has procrastinated too long in cleaning up its air. No further delay should be permitted.

Billings Gazette (Montana)

## **Editorial: Energy policy needs balance**

### **Gazette Opinion**

The debate over national energy policy is usually cast as a polarized battle between environmentalists and developers.

It's time to move to middle ground. We can't conserve our way out of an energy crisis. We can't drill our way out either.

As of last week, GOP congressional leaders had yet to reveal their final draft of a conference energy bill. Remember the uproar over the secret meetings of Vice President Dick Cheney's energy commission? Well, more recently, Rep. Billy Tauzin, R-La., and Sen. Peter Domenici, R-N.M., have been holding private meetings to craft the conference energy bill. More than two dozen House and Senate conferees were appointed to the committee, but most of them aren't in the room where the majority of energy bill decisions are being made.

### **Uncertain outcome**

No one seems to know what all will be in the final energy bill. It can contain just about anything that the GOP leadership wants to put into it. When senators and representatives vote, they will have to vote for or against the whole bill. There won't be any tinkering with parts, adding or deleting sections.

What might be slipped into the energy bill?

Sen. Conrad Burns has asked Domenici to write in federal condemnation powers for high-voltage electrical transmission lines in Montana, Oregon, Washington, Idaho and California. A coalition interested in developing the Otter Creek coal tracts in southeastern Montana has said the legislation is key to their plans. However, federal eminent domain authority could override Montana laws, which were recently revised to provide greater protection to private landowners.

Sen. Max Baucus is trying to extend the moratorium on drilling Montana's Rocky Mountain Front, an area known for its rugged beauty and abundant wildlife.

### **Multiple uses**

The energy bill draft that Domenici and Tauzin released in September was weighted heavily in favor of oil and gas development on America's public lands at the expense of all other values. Congress must balance multiple uses. There are ways to mitigate the affects of development on surrounding lands used for agriculture, hunting, fishing and hiking.

Tax incentives should be used to reward industry and individuals for responsible energy production and use.

For example, subsidies for coalbed methane drilling in Montana and Wyoming (which Baucus, Wyoming Rep. Barbara Cubin and Sen. Craig Thomas back) ought to require production methods that prevent impairment to water and land.

Energy policy decisions should be made in public with bipartisan participation. Tax breaks should be balanced between domestic development and conservation/alternate energy measures. Tax breaks must reward good environmental stewardship.

Americans don't have to choose between agriculture and energy development or between electricity production and clean air. In the 21st century, we have technology to achieve responsible development.

## **The Capital Times (Wisconsin)**

An editorial

October 18, 2003

A smart federal energy policy would look to the future, emphasizing conservation to reduce America's dependence on foreign energy sources and encouraging the expansion of renewable energy production to help stabilize prices.

But the energy policy currently being crafted by Republicans behind closed doors in Washington looks to the past by continuing subsidies for polluting fossil fuel producers and doing nothing to reduce the country's addiction to imported oil.

Not that we're surprised. Vice President Dick Cheney's private meetings two years ago with energy interests, which pointedly excluded environmentalists, left no doubt which industries were in the Bush administration's favor.

However, there are some in Congress who understand that the United States must change course on its energy policies, and the Senate energy bill came through with several provisions in the right direction. Regrettably, they won't see the light of day in the final energy bill.

Sen. Pete Domenici, R-N.M., and Rep. Billy Tauzin, R-La., head the conference committee reconciling the House and Senate energy bills. They've shut Democratic committee members out of the process and are busy loading the bill with fossil fuel-based pork projects to secure votes while at the same time removing conservation measures, including:

Requiring large utilities to use renewable fuels to produce 10 percent of their electricity by 2020. Currently less than 2 percent of the nation's electricity is produced by wind, solar, geothermal and biomass sources.

Requiring improved fuel economy for cars and light trucks. The corporate average fuel economy standard for new cars has been stalled at 27.5 mpg for 18 years.

Telling President Bush to find ways to save 1 million barrels of oil per day by 2013. Although this measure is not in the final Senate energy bill, senators earlier this year did vote 99-1 to support it.

Here's what Domenici and Tauzin have included in the legislation so far:

Opening the Arctic National Wildlife Refuge for oil drilling.

Sparing producers of the gasoline additive MTBE, a suspected carcinogen that has fouled water supplies, from liability in lawsuits.

Urging, instead of requiring, automakers to design nonpolluting hydrogen vehicles by 2020.

Efforts increased this week to nail down an energy bill that both houses could support and that Bush would sign. That may result in dumping the ANWR drilling provision, but the rest of this backward bill is likely to pass. It will mean more pollution, continued price volatility and no incentive for big energy producers to wean themselves from old technologies or fossil fuels.

## Congress Embarrassed

Friday, October 24, 2003; Page A24

WHERE IS the energy bill? According to spokesmen for the House and Senate energy committees -- whose staffs have been writing the bill -- the legislation is now finished, except for a few sections on taxes. Yet although this bill may become law in a few days, no Democrats, few Republicans and even fewer members of the public have seen it: The bill's language will be released, committee chairmen now say, no earlier than 48 hours before a possible vote -- an improvement over the 24 hours originally promised, but not much. There appears to be no plausible explanation for this deep veil of silence -- except possibly embarrassment. For the past several weeks, members of Congress have scrambled to stuff last-minute provisions that benefit their districts or their local industries into this piece of legislation: Perhaps they don't want anyone to find out about them before it's too late.

That, at any rate, is the only conclusion that can be drawn when we hear about measures such as the one Rep. Joe Barton (R-Tex.) is proposing to include in the bill. Mr. Barton's amendment would, according to his staff, merely allow the Environmental Protection Agency to give urban areas more time to meet air pollution deadlines set out in the Clean Air Act. No one denies that this measure is intended to apply to that section of the Dallas-Fort Worth region contained in Mr. Barton's district -- an area known for its high number of air-polluting industries. The trouble is, the change would affect the air quality in the entire region and might affect the enforcement of the Clean Air Act across the country. Among those affected, for example, are the Dallas constituents of Rep. Eddie Bernice Johnson (D-Tex.), who first learned that this measure was included in the energy bill from the Dallas Morning News editorial Web log.

This provision was not in either version of the energy bill originally passed by the House and the Senate. Few of the citizens of Dallas have been acquainted with this measure, and Mr. Barton has not gone out of his way to talk about it. As of yesterday afternoon, for example, we were unable to find information about the measure on the congressman's Web site. Mr. Barton is able to stuff this damaging legislation into this already pork-laden bill only because he is on the conference committee that, in this Congress, effectively meets in secret. Is that democracy?

## The Patriot News (Pennsylvania)

# SHORTSIGHTED

Thursday, November 06, 2003

It was the California electric crisis in the spring of 2001 that prompted the Bush administration to make passage of an energy bill a major priority. Vice President Dick Cheney was assigned to develop a proposal.

He did that, holding discussions with energy company officials, the records of which the administration has successfully fought to keep out of the public domain.

The result of this effort was a decidedly one-sided, shortsighted plan, largely focused on producing more domestic oil and gas. It would have done virtually nothing for California, whose electric crisis, in any event, appears to have been caused in no small part by power manipulation by Enron and others.

It was only the Aug. 14 Northeast blackout that prompted members of Congress to propose major initiatives in the electric grid area, proposals that remain among the most disturbing and controversial in the entire legislation.

Congress last approved an energy bill a decade ago and this was a golden opportunity to bring new thinking to a perennial challenge. But it has been an opportunity forfeited by the administration's all-out efforts to maximize fossil-fuel production at the expense of the environment and investments in conservation, efficiency and alternative fuels.

More than two years after work began to develop a new national energy policy, a vote may be imminent. Taking time out from hunting pheasants in South Dakota, Cheney apparently worked out a compromise over what was said to be the last remaining hurdle between the top House and Senate negotiators -- tax credits for corn-based ethanol.

There is a lot not to like in this legislation:

- Billions in incentives to build new nuclear plants, though only the nuclear folks know where.
- A big push for the construction of electric transmission lines, including giving the Federal Energy Regulatory Commission the right of eminent domain to take private property for them.
- The overemphasis in tying the nation's energy future to fossil fuels ensures continued foreign energy dependence, not independence. This country simply does not have the oil and gas reserves ever to be independent, even if every possible place could be drilled regardless of the consequences to the environment.
- Various areas where the nation's environmental laws would no longer apply, including mining on Indian reservations and in using certain oil extraction techniques such as "hydraulic fracturing."
- Trying to turn America's public lands and offshore areas into an oil tap, with huge consequences for the nation's wildest places and shorelines.
- No effort to raise vehicle fuel efficiency standards to rein in the nation's thirst for ever-greater quantities of petroleum, increasingly coming from foreign sources.

This legislation amounts to energy folly, which would lead the nation in the wrong direction, guaranteeing energy crises to come. Lawmakers should vote against it, for passage of this energy plan would amount to perpetrating an energy-plan hoax on the American people.

## Atlanta Journal-Constitution

### OUR OPINIONS: U.S. energy bill dupes the public

Staff

Tuesday, October 28, 2003

What Congress is doing to America's long-term energy strategy isn't a crime --- but it should be. This is a stickup, plain and simple.

Like most muggings, this crude exercise is taking place out of public view, mostly in closed-door meetings between sessions held by Rep. W.J. "Billy" Tauzin (R-La.) and Sen. Pete Domenici (R-N.M.). The duo's ostensible mandate is to develop legislation that would reduce dependence on foreign oil, promote conservation and fix gaps in the nation's electrical grid that appear to have caused this summer's crippling blackouts.

Instead, the work has degenerated into a lopsided orgy of unnecessary industry giveaways, rollbacks of environmental and consumer protections and predictably craven pork politics. It will cost taxpayers at least \$20 billion over the next decade, an amount that will probably triple when it's all toted up.

That's why Domenici and Tauzin are keeping details of this perfidy well-hidden from Democrats and Republicans alike. Snippets of the bill that have dribbled out aren't pretty:

- > Gives the Federal Energy Regulatory Commission authority over the siting of electrical transmission lines, stripping state agencies of that power and giving utility companies more power to seize private property.
- > Promotes offshore drilling near coastal beaches and marine sanctuaries while reducing local authority to oppose such projects.
- > Doubles subsidies for wasteful, corn-based ethanol fuel while shielding makers of another gasoline additive, MTBE, from lawsuits alleging that their product pollutes groundwater.

The bill also reportedly fails to increase fuel efficiency standards for passenger cars and trucks and repeals the Public Utility Holding Company Act that's intended to protect consumers from Enron-esque market shenanigans. It also may direct the Environmental Protection Agency to give pollution-choked areas such as metro Atlanta a break from legal deadlines to clean up their air.

Once they put the bill together, Tauzin and Domenici are promising Congress --- and by extension, the public --- a whole 48 hours to digest its contents before putting it to an up-or-down vote. That's not enough time to seriously consider the fine print of a 1,700-page bill, which is exactly the point.

Why give the intended victims of your crime any chance to stop it?